

REMARKS

We have carefully considered the Office Action dated November 12, 2004. We thank the Examiner for a telephone interview in which a mistake in paragraph 9 of the Office Action was corrected to indicate that claims 12 and 8 are allowed. In response to the Examiners comments we have made explicit in claim 13 what was implicit, namely, the epoxy. Further, we have corrected a typographical error in claim 12, namely, an incorrect dependency. In addition, we have reordered the wording of claim 8 as suggested by the Examiner.

After further consideration of claim 20, we disagree that the claim is directed to subject matter that is independent from the subject matter originally claimed. Claim 12, for example, includes the step of removing a worn or dulled tip in the method of assembling a curette. Accordingly, we ask that the Examiner reconsider the ordered withdrawal of the claim.

Claims 1-11 and 13-19 stand rejected as either anticipated or made obvious by United States Patent 4,777,947 to Zwick or as obvious over United States Patent 6,361,317 to Rahman.

We will first address the Section 102(b) rejection. The Zwick reference, as discussed in earlier response, includes a threaded rod 16 that extends through a handle 11 and a hollow shaft 13 to engage a threaded well 17 formed in the tip. The Zwick reference does not include, as part of its tip 14, "an outwardly extending elongated section with one or more flattened sides" as set forth in independent claims 1 and 13 and the claims that depend therefrom. Accordingly, the Zwick reference does not anticipate or make obvious these claims because, *inter alia*, the Zwick reference does not show a disposable tip with the an outwardly extending elongated section with one or more flattened sides.

As described in the application, the flattened sides of the elongated section of the disposable tip resist rotation within the hardened epoxy that is used to secure the tip to the shaft. As discussed in a prior response, there is no teaching or suggestion of a disposable

tip that is attached by threading and secured with epoxy. Further, a combination of the teachings of Zwick with knowledge of epoxy does not teach or suggest the invention as set forth in independent claims 1 and 13 because, *inter alia*, the combination does not teach or suggest a disposable tip with “an outwardly extending elongated section with one or more flattened sides.”

The Rahman reference, which is newly cited in the most recent Office Action, describes a dental instrument that has a handle that consists of an elongated plastic body 34 with a metal reinforcing tube 58 that extends through the body. A tool 28, with tapered end sections 86, 92, 102, is press fit into the reinforcing tube while stretching the end of the tube. See, Col. 3, lines 48-51. Prior to the press fitting, adhesive is applied to either the end of the tool or the end of the tube, such that the adhesive gathers in various annular gaps 112, 116, 102 that are formed by the tapering end sections of the tool. See, Col. 3, lines 53 et seq. There is no teaching or suggestion in Rahman that the tool end of the instrument is disposable. Indeed, the stretching of the material at the end of the reinforcing tube teaches away replacing the tool end of the instrument.

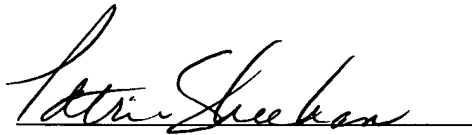
As the Examiner states, there is no teaching or suggestion in Rahman of a threaded connection. Further, replacing the press fit connection of Rahman with a threaded connection does not teach or suggest the invention of independent claims 1 and 13 because, *inter alia*, the combination does not teach or suggest an instrument with a disposable tip and, in particular, a disposable tip with an “an outwardly extending elongated section with one or more flattened sides,” as set forth in independent claims 1 and 13 and the claims that depend therefrom.

We do not specifically address the Examiner’s rejections of the claims that depend from independent claims 1 and 13. This should not be construed as acquiescence to the rejections, but as recognition that the rejections are moot based on our remarks regarding the allowability of the independent claims.

The claims, as amended, should now be in form for allowance and we respectfully request that the Examiner reconsider the rejections and issue a Notice of Allowance.

Please charge any fee occasioned by this paper to our Deposit Account
No. 03-1237.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Patricia Sheehan", written over a horizontal line.

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